

CAIN & HERREN, ALC  
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*Attorneys for Debtor BRANT KEMEL JACKSON*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF HAWAII

IN RE:

BRANT KEMEL JACKSON,

Debtor

Case No. 19-01655  
(Chapter 13)

AP No. 20-90009

**DECLARATION OF MICHAEL  
J. COLLINS**

**DECLARATION OF MICHAEL J. COLLINS**

I, MICHAEL J. COLLINS, hereby declare that:

1. I am an attorney licensed to practice law in the State of Hawaii  
and in the United States Bankruptcy Court, District of Hawaii.
2. I represent the Debtor in the above case;

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3. The following is made pursuant to my knowledge unless otherwise stated;

4. Plaintiff clearly did not follow the 21 day provision of Rule 9011(c)(1)(A);

5. The Court simply needs to look at when the email was sent putting this firm on notice of its alleged sanctionable conduct;

6. The Court will see that Plaintiff only gave Defendant four days before the hearing to “fix” the sanctionable conduct;

7. What might have made more sense, if cooler heads were to prevail, is if Plaintiff called Defendant’s counsel and asked for the hearing on the Motion for Summary Judgment to be continued to a different date, so Plaintiff could comply with Rule 9011(c)(1)(A);

8. No such phone call was made;

9. No such safe harbor was provided;

10. I think the court should be grateful that on a flat-fee bankruptcy, I investigate these matters for poor indigent clients and attempt to investigate the substance of the calculation of damages of judgments when payments are being made, particularly, when two separate parties are making them;

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11. I think the court should be so grateful, it should award me and my law firm compensation for having to defend this baseless Rule 9011(c)(1)(A) motion;

12. I will of course, provide the court with a declaration of counsel to report my time at my hourly rate, which is three hundred dollars per (\$300.00);

13. I suspect the Court will find my billing and billing rate to be fair after a reviewing my supplemental declaration which I will file after the Court holds its hearing on this matter and denies the Plaintiff the relief filed in Plaintiff's motion.

I have read the above statement, know its contents and verify that the statements are true and correct to my personal knowledge and belief. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE ABOVE IS TRUE AND CORRECT.

DATED: Wailuku, Maui, Hawaii, Thursday, October 15, 2020.

CAIN & HERREN, ALC

/s/ Michael J. Collins

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Michael J. Collins, Esq.

*Attorneys for Debtor*

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